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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,679	12/12/2001	Bruce E. Probst	HBO-41	2540

20583 7590 07/25/2006

JONES DAY
222 EAST 41ST ST
NEW YORK, NY 10017

EXAMINER	
TRUONG, CAM Y T	
ART UNIT	**PAPER NUMBER**
2162	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/016,679	PROBST ET AL.	
	Examiner	Art Unit	
	Cam Y T. Truong	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16,23-25 and 31-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16, 23-25 and 31-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has amended claims 1, 14-16 23-25 in the amendment filed on5/1/2006.

Claim 1-16, 23-25 and 31-41 are pending in this Office Action.

Response to Arguments

2. Applicant's arguments with respect to claims 1-16, 23-25 and 31-41 have been considered but are moot in view of the new ground(s) of rejection.

First, applicant argued that independent claims 1, 14-16, and 23-25 have been amended to include the claimed limitation "stored on a computer readable medium for use in storing, retrieving, searching, or tracking digital assets stored in one or more databases or database and DTD are stored on first, second computer readable mediums"; thus they are statutory.

In response to this argument, even though, claims contain "a computer readable storage medium", the claims still are rejected under 101 because claims contain no a concrete, useful, and tangible result.

Second, applicant argued that the combination of Huang, Montgomery, and Hendricks does not teach the amended claim 15 and 16.

In response to applicant argument, the combination of Huang, Montgomery, and Hendricks teaches the amended claim 15 and 16 as discussed below.

Third, applicant argued that Sezan nor Huang provide any motivation. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Huang of DTD definition for multimedia file including video and audio to Sezan's system in order to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

Forth, applicant argued that neither reference discloses a DTD requiring declared elements and attributes for photographs, audio recordings, or text documents.

In response to applicant argument, Huang teaches DTD definition for multimedia file including video and audio (col. 8, lines 25-40; col. 15).

Finally, applicant argued that Sheth does not teach a single DTD having elements and attributes of two or more types of media. Sheth teaches a XML having element and attributes such as providing title, description, media type, source site, surrogate metadata for baseball asset and Hockey assets selected from the group

consisting of movies, picture and text documents, graphics (figs. 1-6 &11, col. 8, lines 20-45).

Claim Objections

3. Claims 1, 25 are objected to because of the following informalities: The term "the second type" in claims 1 and 25 should be written "a second type". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 23-25, 42-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed limitations "a database stored on a first computer readable medium; a document type definition (DTD) stored on a second computer readable medium; digital content stored on a third computer readable medium; wherein said first, second and third computer readable mediums are the same computer readable medium" in claims 23-25, 42-44, were not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-16, 23-25 and 31-41 are rejected under 35 U.S.C.101 because the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practice application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C 101.

Claims 1, 14-16 recite "a document type definition". However, the claims 1, 14-16 fails to contain a computer that is used implemented the system so as to produce a concrete, useful, and tangible result. Thus, the body of claims 1, 14-16 is merely abstract idea and is being processed without any links to a practical result in the technology arts and without computer manipulation.

Claims 2-13, 31-41 recite "a document type definition". However, these claims fail to contain a computer that is used to implement the system so as to producing a concrete, useful, and tangible result. Thus, the bodies of these claims are merely

abstract idea and are being processed without any links to a practical result in the technology arts and without computer manipulation.

Claims 23-25 recite "A digital asset library". However, the computer readable medium contains nonfunctional descriptive material and does not contain a concrete, useful, and tangible result. Thus, the claims 23-25 are merely abstract idea and are being processed without any links to a practical result in the technology arts and without computer manipulation.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-6, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan et al (or hereinafter "Sezan") (US 6236395).

As to claim1, Huang teaches the claimed limitation "a document type definition (DTD) stored on a computer readable medium for use in storing, retrieving, searching, or tracking digital assets stored in one or more databases, said DTD comprising" as DTDs (col. 7, lines 40-41; col. 7, lines 50-55);

"declared elements and attributes for at least two types of digital assets, one type selected from the group consisting of photographs, movies, graphics, and text documents" as the DTD provides a list of the elements, tags, attributes, and entities contained in the document. This document contains two types audio and animation (col. 7, lines 50-55; col. 15).

Huang does not explicitly teach the claimed limitation "the second type selected from the group consisting of audio recordings, video recordings".

Sezan teaches selecting the video and/or video content (col. 3, lines 1-15; col. 1, lines 12-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of selecting the video and/or video content to Huang's system in order to Huang's system in order to search, filter and browser a specific type of information based on user's desire in a personalized and effective manner.

As to claim 2, Huang teaches the claimed limitation " wherein said document type definition is encoded in extensible markup language (XML)" as XML (col. 14, Appendix).

As to claim 3, Huang teaches the claimed limitation "metadata for photographs" as attributes for scenes as photographs (col. 7, lines 50-55; col. 15). Huang does not explicitly teach the claimed limitation "audio recordings". Sezan teaches audio recordings (col. 29, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of attribute voice-annotation for audio and color profile for video to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly.

As to claim 4, Huang teaches the claimed limitation "metadata for photographs" as attributes for scenes as photographs (col. 7, lines 50-55; col. 15). Huang does not explicitly teach the claimed limitation "video recordings". Sezan teaches video recordings ((col. 19, lines 35-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of attribute voice-annotation for audio and color profile for video to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly.

As to claim 5, Huang does not explicitly teach the claimed limitation "metadata for photographs, audio recordings, and video recordings". Sezan audio recordings (col. 19, lines 35-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of attribute voice-annotation for audio and color profile for video to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly.

As to claim 6, Huang teaches the claimed limitation " comprising metadata for photographs, and movies" as (col. 7, lines 50-55; col. 15).

As to claim 14, Huang teaches the same claimed limitation subject matter as discussed in claim 1, Huang further teaches the claimed limitation "metadata for at least three types of digital assets selected from the group consisting of photographs, movies, graphics, and text documents" as (col. 8, lines 25-40; col. 15).

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Scoff et al (or hereinafter "Scoff").

As to claim 7, Huang and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for black/white; a definition for color and a definition for caption". Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30). Scott teaches media frames are preset within the template definition, normally for common text captions (col. 19, lines 35-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white and Scott's teaching of media frames are preset within the template definition, normally for common text captions to Huang's system in order to permit a user can control color of image or movie following user's desire and understand the meaning of movie.

11. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303) and Lawler et al (hereinafter "Lawler") (USP 5907323).

As to claim 8, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for music; a definition for track title; and a definition for duration". Foreman teaches Title track, duration (fig. 6). Lawler teaches timing definitions for music (col. 8, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration and Lawler's teaching of timing definitions for music to Huang's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

12. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Berhan (USP 6487145).

As to claim 9, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for compact disc (CD) number; and a definition for CD title". Berhan teaches CD number and CD title (col. 8, lines 30-40; col. 9, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berhan's teaching of CD number and CD title to

Huang's system in order to track music data from the storage media at the listening rate.

13. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claim 10, Huang teaches the claimed limitation "a definition for title" title is a brief textual, or a proper name (fig. 2). Huang does not explicitly teach the claimed limitation "a definition for version". Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes a unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differs in the VCR video version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of Reimer's teaching of video version includes an unique time code to Sheth's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

14. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Landis (UPS 5659368) and Cane et al (or hereinafter "Cane") (USP 6157931).

As to claim 11, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for rating; a definition for minutes; and a definition for release date". Landis teaches rating information for movies; minute data field has a valid range from 0 to 59 (col. 9, lines 40-45; col. 10, lines 50-67). Cane teaches definition of release date (col. 2, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Landis teaches rating information for movies, minute data field has a valid range from 0 to 59 and Cane's teaching definition of release date to Huang's system in order to search/retrieve media file following user's desire.

15. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Huang and Sezan and Murphy et al (or hereinafter "Murphy") (USP 6625810).

As to claim 12, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for run time; a definition for color; and a definition for synopsis. Sezan teaches color back/white, timestamps (col. 6, lines 25-30; col. 12,lines 35-40). Murphy teaches a brief plot synopsis (col. 1, lines 45-47).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white, timestamps and

Murphy's teaching of a brief plot synopsis to Huang's system in order to monitor a plurality of different time slots for media files for future processing.

16. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Sheth et al (or hereinafter "Sheth") (US 6311194).

As to claim 13, Sheth teaches the claimed limitation "a definition for director; and a definition for cast" as (col. 3, lines 35-45). Sheth teaches

mazon.com visitors, for instance, can search classical music CDs by composer, conductor, performer, etc. Customers looking for videos can search mgm.com by title, director, cast, or year.

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sheth's teaching of director and cast to Huang's system in order to allow a company to segment its video assets, enter and search by an arbitrary number of auser-specified attributes.

17. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery et al (or hereinafter "Montgomery") (USP 6380950) and Hendrichs et al (or hereinafter "5659350").

As to claim 15, Huang teaches the claimed limitation "a document type definition (DTD) stored on a computer readable medium for use in storing, retrieving, searching,

or tracking digital assets stored in one or more databases, said DTD comprising" as DTDs (col. 7, lines 40-41; col. 7, lines 50-55);

"metadata for photographic digital assets, audio digital assets" as (col. 8, lines 25-40; col. 15). Huang does not explicitly teaches the claimed limitation "promo digital assets, and voiceover digital assets, wherein said photographic, audio, promo, and voiceover digital assets are all stored on a same computer readable medium". Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Henrich teaches audio tracks to promos are stored database (col. 13, lines 30-35; col. 37, lines 15-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Hendrichs's teaching of audio tracks to promos is stored database to Huang's system in order to allow a view to manipulate voice for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly.

18. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery et al (or hereinafter "Montgomery") (USP 6380950) and Jacobs et al (or hereinafter "Jacobs") (US 2004/0249708).

As to claim 15, Huang teaches the claimed limitation "a document type definition (DTD) stored on a computer readable medium for use in storing, retrieving, searching,

or tracking digital assets stored in one or more databases, said DTD comprising" as DTDs (col. 7, lines 40-41; col. 7, lines 50-55);

"metadata for photographic digital assets, audio digital assets" as (col. 8, lines 25-40; col. 15).

Huang does not explicitly teaches the claimed limitation "promo digital assets, and voiceover digital assets, wherein said photographic, audio, promo, and voiceover digital assets are all stored on a same computer readable medium". Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Jacobs teaches storing advertisements on a storage medium. The advertisements include promo sports, graphical, audio, and video (page 4, col. Left; paragraph [0026]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Jacobs teaches storing advertisements on a storage medium, the advertisements include promo sports, graphical, audio, and video to Huang's system in order to allow a view to manipulate voice for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly.

19. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery et al (or hereinafter "Montgomery") (USP 6380950) and Hendrichs et al (or hereinafter "Hendrichs") (US 5659350) and Sezan.

As to claim 16, Huang teaches the claimed limitation "digital content selected from the group consisting of digitally encoded asset data, a link to a file containing asset data, and a reference to a location where asset data is digitally stored" as (col. 8, lines 25-40; col. 15; col. 7, lines 20-50);

" metadata for at least three types of digital assets selected from the group consisting of photographs, movies, graphics, and text documents" as (col. 7, lines 20-50; col. 8, lines 25-40; col. 15).

Huang does not explicitly teach the claimed limitation "promos voiceovers, another type selected from the group consisting of audio recordings and video recordings". Montgomery teaches voiceovers 492 (fig. 4B). Hendricks teaches audio/video and storing audio track to promos in database (col. 13, lines 30-35; col. 37, lines 15-35). Sezan teaches selecting the video and/or video content (col. 3, lines 1-15; col. 1, lines 12-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of voiceovers and Hendricks's teaching audio/video and storing audio track to promos in database and Sezan's teaching of selecting the video and/or video content to Huang's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily.

20. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Huang.

As to claim 23, Sezan teaches the claimed limitations:

"a database stored on a first computer readable medium comprising a plurality of records, one said record identifying a photograph, a second said record identifying a video recording, and a third said record identifying an audio recording" as (col. 19-col. 20, col. 5, lines 30-35).

Sezan does not explicitly the claimed limitation "and a document type definition (DTD) stored on a second computer readable medium comprising definitions for photographs, video recordings, and audio recordings; said DTD corresponding to said database records conforming to said DTD". Huang teaches DTD definition for multimedia file including video and audio (col. 8, lines 25-40; col. 15);

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Huang of DTD definition for multimedia file including video and audio to Sezan's system in order to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

21. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Huang and further in view of Montogomery.

As to claim 42, Sezan does not explicitly teach the claimed limitation "wherein said first computer readable medium and said second computer readable medium are the computer readable medium".

Montgomery teaches the same type of mediums as DVDs (col. 7, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of the same type of mediums as DVDs to Sezan's system in order to provide for real time viewing at approximately sixty frames per second.

22. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Huang and Hosoda (US 7020839).

"a database stored on a first computer readable medium comprising a plurality of records, one said record identifying a photograph, a second said record identifying a video recording, and a third said record identifying a text document" as (col. 19-col. 20, col. 5, lines 30-35);

"and digital content stored on a third computer readable medium comprising a photograph, a video recording" as (col. 19-col. 20, col. 5, lines 30-35);

"digital content of said at least two types of digital assets stored on a third computer readable medium comprising a photograph, a video recording" as (col. 19-col. 20, col. 5, lines 30-35).

Sezan does not explicitly teach the claimed limitation "a document type definition (DTD) stored on a second computer readable medium comprising declared elements

and attributes for photographs, video recording, and text documents, said database records conforming to said DTD; and a text document associated with said DTD and said database records".

Huang teaches DTD definition for multimedia file including video and audio (col. 8, lines 25-40; col. 15). Hosoda teaches DTD for text document (fig. 13).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hosoda teaches DTD for text document and Huang of DTD definition for multimedia file including video and audio to Sezan's system in order to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

23. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Huang and Hosoda (US 7020839) and further in view of Montgomery.

As to claim 43, Huang does not explicitly teach the claimed limitation "wherein said first computer readable medium and said second computer readable medium are the computer readable medium".

Montgomery teaches the same type of mediums as DVDs (col. 7, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of the same type of mediums as DVDs to Huang's system in order to provide for real time viewing at approximately sixty frames per second.

24. Claims 24 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery, and Sezan.

As to claim 24, Huang teaches the claimed limitation "a database stored on a first computer readable medium comprising a plurality of records, one said record identifying a photograph, a second said record identifying a video recording, and a third said record identifying a text document" as (col. 7, lines 40-41; col. 7, lines 50-55);

"and digital content stored on a third computer readable medium comprising a photograph, a video recording, and a text document associated with said DTD and said database records" as (col. 7, lines 40-41; col. 7, lines 50-55);

"digital content of said at least two types of digital assets stored on a third computer readable medium comprising a photograph, a video recording and a text document associated with said DTD and said database records" as (col. 7, lines 40-41; col. 7, lines 50-55);

Huang does not explicitly teach the claimed limitation "a document type definition (DTD) stored on a second computer readable medium comprising declared elements and attributes for photographs, video recording, and text documents, said database records conforming to said DTD".

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Sezan teaches selecting the video and/or video content (col. 3, lines 1-15; col. 1, lines 12-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery teaches storing photographs, audio,

voiceovers 492 in a disk and Sezan's teaching of selecting the video and/or video content to Huang's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

As to claim 43, Huang does not explicitly teach the claimed limitation "wherein said first computer readable medium and said second computer readable medium are the computer readable medium".

Montgomery teaches the same type of mediums as DVDs (col. 7, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of the same type of mediums as DVDs to Huang's system in order to provide for real time viewing at approximately sixty frames per second.

25. Claims 25 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery, Henrich and Sezan.

As to claim 25, Huang teaches the claimed limitations:

database stored on a first computer readable medium comprising a plurality of records, said records identifying at least two types of digital assets, at least one type

selected from the group consisting of still images, voice-overs, movies, graphics, and text documents" as (col. 7, lines 40-41; col. 7, lines 50-55);

"digital content of said at least two types of digital assets stored on a third computer readable medium and associated with said DTD and said database records" as (col. 7, lines 40-41; col. 7, lines 50-55);

Huang does not explicitly teach the claimed limitation "the second type selected from the group consisting of audio recordings and video recordings; a document type definition (DTD) stored on a second computer readable medium comprising declared elements and attributes for said at least two types of digital assets, said database records conforming to said DTD".

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Henrich teaches audio tracks to promos are stored database (col. 13, lines 30-35; col. 37, lines 15-35).). Sezan teaches selecting the video and/or video content (col. 3, lines 1-15; col. 1, lines 12-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of voiceovers and Hendricks's teaching audio/video and storing audio track to promos in database and Sezan's teaching of selecting the video and/or video content to Huang's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

As to claim 44, Huang does not explicitly teach the claimed limitation "wherein said first computer readable medium and said second computer readable medium are the computer readable medium".

Montgomery teaches the same type of mediums as DVDs (col. 7, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of the same type of mediums as DVDs to Huang's system in order to provide for real time viewing at approximately sixty frames per second.

26. Claims 24 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Montgomery, and Sezan.

As to claim 24, Sheth teaches the claimed limitation "a database stored on a first computer readable medium comprising a plurality of records, one said record identifying a photograph, a second said record identifying a video recording, and a third said record identifying a text document" as (figs. 1-6 &11, col. 8, lines 20-45);

"and digital content stored on a third computer readable medium comprising a photograph, a video recording, and a text document associated with said DTD and said database records" as (fig. 2, fig. 10, col. 14, lines 45-65).

"digital content of said at least two types of digital assets stored on a third computer readable medium comprising a photograph, a video recording and a text

document associated with said DTD and said database records" as (col. 16, lines 55-67; fig. 6 & 9-10).

Sheth does not explicitly teach the claimed limitation "a document type definition (DTD) stored on a second computer readable medium comprising declared elements and attributes for photographs, video recording, and text documents, said database records conforming to said DTD".

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Sezan teaches selecting the video and/or video content (col. 3, lines 1-15; col. 1, lines 12-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery teaches storing photographs, audio, voiceovers 492 in a disk and Sezan's teaching of selecting the video and/or video content to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

As to claim 43, Sheth does not explicitly teach the claimed limitation "wherein said first computer readable medium and said second computer readable medium are the computer readable medium".

Montgomery teaches the same type of mediums as DVDs (col. 7, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of the same type of mediums as DVDs to Sheth's system in order to provide for real time viewing at approximately sixty frames per second.

27. Claims 25 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Montgomery, Henrich and Sezan.

As to claim 25, Sheth teaches the claimed limitations:

database stored on a first computer readable medium comprising a plurality of records, said records identifying at least two types of digital assets, at least one type selected from the group consisting of still images, voice-overs, movies, graphics, and text documents" as (figs. 1-6 &11, col. 8, lines 20-45);

"digital content of said at least two types of digital assets stored on a third computer readable medium and associated with said DTD and said database records" as (col. 16, lines 55-67; fig. 6).

Sheth does not explicitly teach the claimed limitation "the second type selected from the group consisting of audio recordings and video recordings; a document type definition (DTD) stored on a second computer readable medium comprising declared elements and attributes for said at least two types of digital assets, said database records conforming to said DTD".

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Henrich teaches audio tracks to promos are

stored database (col. 13, lines 30-35; col. 37, lines 15-35).). Sezan teaches selecting the video and/or video content (col. 3, lines 1-15; col. 1, lines 12-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of voiceovers and Hendricks's teaching audio/video and storing audio track to promos in database and Sezan's teaching of selecting the video and/or video content to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files.

As to claim 44, Sheth does not explicitly teach the claimed limitation "wherein said first computer readable medium and said second computer readable medium are the computer readable medium".

Montgomery teaches the same type of mediums as DVDs (col. 7, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of the same type of mediums as DVDs to Sheth's system in order to provide for real time viewing at approximately sixty frames per second.

28. Claims 31, 32, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Rabne.

As to claim 31, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "metadata for rights management of said at least two types of digital assets". Rabne teaches user based on the rights of the user registered with the RM system into Huang's system to access the content of the digital libraries. Each user has a access ID (col. 18, liens 20-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rabne's teaching of user based on the rights of the user registered with the RM system to access the content of the digital libraries. Each user has an access ID to into Huang's system in order to prevent hackers or crackers to modify digital media file without permission.

As to claim 32, Huang teaches the claimed limitation subject matter in claim 1, except the claimed limitation "a contract identifier". Rabne teaches user's ID (col. 18, lines 35-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rabne's teaching of user's ID to into Huang's system in order to prevent hackers or crackers to modify digital media file without permission.

As to claim 37, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein said rights management metadata indicates whether world wide rights are granted". Rabne teaches access a usage rights to the content of the digital libraries that may content a movie (col. 18, lines 50-55).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Rabne's teaching of access an usage rights to the content of the digital libraries that may content a movie to into Sheth's system and Sezan's system in order prevent unauthorized to make copy a movie or view a movie without permission.

As to claim 40, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said movie metadata, said movie metadata attributes comprising a definition for allowable usage of a movie". Rabne teaches access a usage rights to the content of the digital libraries that may content a movie (col. 18, lines 50-55).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Rabne's teaching of access an usage rights to the content of the digital libraries that may content a movie to into Sheth's system and Sezan's system in order prevent unauthorized to make copy a movie or view a movie without permission.

29. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Rabne and Rivera et al (or hereinafter "Rivera") (UPS 6056786).

As to claim 33, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "an availability start date". Rivera teaches as illustrated a

portion of a typical audit log 80. The present invention utilizes certain data contained in a typical audit log to determine license compliance. An entry 82 in the audit log 80 includes a timestamp 84 comprised of the date and start and end times of the transaction in a form such as "1997/06/23, 07:38:04, 97:38:06". The entry 80 also identifies the name of the user or user ID 86 and the name of the client computer or client ID 88 from which the transaction was initiated" as (col. 6, lines 25-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rivera's teaching of start time to into Huang's system in order to track user's transactions and prevent unauthorized use of a license.

As to claim 34, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "an availability end date" Rivera teaches as illustrated a portion of a typical audit log 80. The present invention utilizes certain data contained in a typical audit log to determine license compliance. An entry 82 in the audit log 80 includes a timestamp 84 comprised of the date and start and end times of the transaction in a form such as "1997/06/23, 07:38:04, 97:38:06". The entry 80 also identifies the name of the user or user ID 86 and the name of the client computer or client ID 88 from which the transaction was initiated" as (col. 6, lines 25-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rivera's teaching of start time to into Huang's system in order to track user's transactions and prevent unauthorized use of a license.

30. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Rabne and further in view of Rose et al (or hereinafter "Rose") (USP 5752244).

As to claim 35, Huang does not explicitly teach the claimed limitation "wherein said rights management metadata identifies a copyright holder". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed (col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed to into Huangsystem in order to prevent unauthorized to make copy digital media without permission.

31. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Rabne and Hurtado et al (or hereinafter "Hurtado") (USP 6418421).

As to claim 36, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein said rights management metadata comprises an allowed number of plays per agreement". Hurtado teaches number of plays is permitted (col. 9, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hurtado's teaching of the number of plays is permitted to into Huang's system in order to control unlocked content only by authorized intermediate or end-user that have secured a license or prevent users make a copy of file or play a music without permission.

32. Claims 38, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Sezan and further in view of Rose.

As to claim 38, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said photograph metadata, said photograph metadata attributes comprises a definition for legal restrictions associated with a photograph". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including images as photographs (abstract, col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including images to into Huang's system in order to prevent unauthorized to make copy digital media without permission.

As to claim 39, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said audio metadata, said audio metadata attributes comprising a definition for rights issues regarding use of an audio recoding". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including audio (abstract, col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including audio to into Sheth's system and Sezan's system in order to prevent unauthorized to make copy digital media without permission.

As to claim 41, Huang discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said video-recordings metadata, said video-recordings-metadata attributes comprising a definition for rights issues regarding use of a video recording". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including video (abstract, col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright

information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including video to into Huang's system in order to prevent unauthorized to make copy digital media without permission.

Conclusion

33. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Cam Y Truong
Primary Examiner
Art Unit 2162
7/18/2006